

1 THE HONORABLE JAMES L. ROBART  
2  
3  
4  
5  
6  
7

8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 CLINT ENGELBRETSON, individually and  
11 on behalf of all others similarly situated,

12 Plaintiff,

13 v.

14 BAGELCODE USA, INC., a Washington  
corporation; GOOGLE LLC, a Delaware  
15 limited liability company; and GOOGLE  
PAYMENT CORP., a Delaware corporation,

16 Defendant.

17 No. 2:21-cv-00296-JLR

18 **STIPULATION AND ~~PROPOSED~~  
ORDER TO STRIKE OR EXTEND  
PRETRIAL DEADLINES**

19 **NOTE ON MOTION CALENDAR:  
APRIL 16, 2021**

20 **STIPULATION**

21 Pursuant to previous stipulations among the parties and orders of this Court,  
22 Defendants will be responding to Plaintiff's Complaint on or before May 24, 2021. Dkt.  
23 Nos. 11, 17. On April 5, 2021, the Court entered two scheduling orders setting various other  
24 initial deadlines, the first of which is set for April 19, 2021. Dkt. Nos. 30-31. The parties  
25 expect Defendants will file motions responsive to Plaintiff's Complaint on or before May 24,  
26 2021. To preserve the resources of the parties and the Court, the parties wish to strike the  
27 deadlines set by the Court in Docket Nos. 30-31 and reset them after the Court has ruled on  
28 Defendants' expected motions.

1 Accordingly, the parties stipulate and agree as follows:

2 All deadlines set in Docket Nos. 30-31 are stricken. The Court will reset those  
3 deadlines after the Court rules on all motions filed in response to Plaintiff's Complaint on or  
4 before May 24, 2021.

5 Alternatively, if the Court prefers to reset the deadlines now, the parties agree that the  
6 Court should set new deadlines as follows:

7 Deadline for FRCP 26(f) conference: 7/23/21

8 Initial Disclosures Pursuant to FRCP 26(a)(1): 8/6/21

9 Combined Joint Status Report and Discovery  
10 Plan as Required by FRCP 26(f) and Local  
11 Civil Rule 26(f): 8/13/21

12 Deadline to complete discovery on class  
13 certification (not to be construed as a  
14 bifurcation of discovery): 11/8/21

15 Deadline for Plaintiffs to file motion for  
16 class certification (noted on the fourth  
17 Friday after filing and service of the  
18 motion pursuant to Local Rules W.D.  
19 Wash. LCR 7(d)(3) unless the parties  
20 agree to different times for filing the  
21 response and reply memoranda): 12/8/21

22 //

23 //

24 //

25 //

26 //

27 //

1 Striking or extending these deadlines is done for good cause. Fed. R. Civ. P. 16(b)(4).  
2 The extensions will conserve the resources of the parties and the Court, and enable this action  
3 to proceed in the manner most efficient for the parties and the Court.  
4

5 DATED this 16th day of April, 2021.

6 HILLIS CLARK MARTIN & PETERSON P.S.

7 By s/Jake Ewart  
8 Eric D. Lansverk, WSBA #17218  
9 Jake Ewart, WSBA #38655  
10 Alexander M. Wu, WSBA #40649  
11 999 Third Avenue, Suite 4600  
12 Seattle, WA 98104  
13 Tel: (206) 623-1745; Fax: (206) 623-7789  
14 E-mail: eric.lansverk@hcmp.com  
15 jake.ewart@hcmp.com; alex.wu@hcmp.com

16 *Admitted Pro Hac Vice:*  
17 BAKER & MCKENZIE LLP

18 Teresa H. Michaud  
19 10250 Constellation Boulevard, Suite 1850  
20 Los Angeles, CA 90067  
21 Tel: (310) 201-4728; Fax: (310) 201-4721  
22 Email: Teresa.michaud@bakermckenzie.com

23 Bradford K. Newman  
24 Alexander G. Davis  
25 600 Hansen Way  
26 Palo Alto, CA 94304  
27 Tel: (650) 856-2400; Fax: (650) 856-9299  
28 Email: bradford.newman@bakermckenzie.com; alexander.davis@bakermckenzie.com

29 Attorneys for Defendants Google LLC and Google  
30 Payment Corp.

1  
2 By s/Eric R. Draluck  
s/Patrick H. Peluso

3 Eric R. Draluck, WSBA No. 19881  
4 271 Winslow Way E., Suite 11647  
Bainbridge Island, WA 98110  
Tel: 206.424.0234

5 Email: [eric@dralucklaw.com](mailto:eric@dralucklaw.com)

6 Steven L. Woodrow (*Admitted Pro Hac Vice*)  
[swoodrow@woodrowpeluso.com](mailto:swoodrow@woodrowpeluso.com)  
7 Patrick H. Peluso (*Admitted Pro Hac Vice*)  
[ppeluso@woodrowpeluso.com](mailto:ppeluso@woodrowpeluso.com)  
8 **WOODROW & PELUSO, LLC**  
9 3900 East Mexico Ave., Suite 300  
Denver, Colorado 80210  
10 Tel: (720) 213-0675; Fax.: (303) 927-0809

11 Attorneys for Plaintiff  
12 **CALFO EAKES LLP**

13 By s/Emily Dodds Powell

14 Emily Dodds Powell, WSBA #49351  
15 1301 Second Avenue, Suite 2800  
Seattle, WA 98101  
16 Phone: (206) 407-2200  
Fax: (206) 407-2224  
17 Email: [emilyp@calfoeakes.com](mailto:emilyp@calfoeakes.com)

18 *Admitted Pro Hac Vice*  
19 Behnam Dayanim  
PAUL HASTINGS  
20 2050 M Street NW  
Washington, DC 20036  
21 Phone: (202) 551-1737  
Fax: (202) 551-0237  
22 Email: [bdayanim@paulhastings.com](mailto:bdayanim@paulhastings.com)

23  
24 Andy LeGolvan, WSBA #53418  
25 4747 Executive Drive, Twelfth Floor  
San Diego, CA 92121  
26 Phone: (858) 458-3006  
Fax: (858) 458-3005  
27 Email: [andylegolvan@paulhastings.com](mailto:andylegolvan@paulhastings.com)

28 *Attorneys for Defendant Bagelcode USA, Inc.*

29  
30 *Stipulation and [Proposed] Order to Strike or Extend Pretrial*  
Deadlines: No 2:21-cv-00296 - 4

31 **HILLIS CLARK MARTIN & PETERSON P.S.**  
32 999 Third Avenue, Suite 4600  
Seattle, WA 98104  
33 Tel: (206) 623-1745

## ORDER

IT IS SO ORDERED. The Court hereby strikes all deadlines contained in Docket Nos. 30-31, and will reset those deadlines after the Court has ruled on all motions filed by Defendants on or before May 24, 2021 in response to Plaintiff's Complaint.

DATED this 19th day of April, 2021.

  
Honorable James L. Robart,  
U.S. District Court Judge